

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY (NEWARK)**

CERTAIN INTERESTED UNDERWRITERS
AT LLOYD'S LONDON a/s/o SAINT
PETER'S UNIVERSITY and SAINT PETER'S
UNIVERSITY

Plaintiffs,

VS.

ARAMARK MANAGEMENT SERVICES
LIMITED PARTNERSHIP, JOHN DOES 1-10,
said names being fictitious and unknown, XYZ
CORPORATIONS 1-10, said names being
fictitious and unknown,

Defendants.

JOINT PROPOSED DISCOVERY PLAN

The parties in the above-captioned matter, by and through their respective counsel, met via teleconference pursuant to Fed. R. Civ. P. 26(f) and hereby submit the within Joint Proposed Discovery Plan pursuant to the Court's April 11, 2025, Order (ECF 2):

1. Appearances:

- (a) Plaintiffs, by Sara E. Thompson, BIEDERMANN HOENIG SEMPREVIVO, P.C., One Grand Central Place, 60 East 42nd Street, 36th Floor, New York, NY 10165; Tel: (646) 218-7625; Email: Sara.Thompson@lawbhs.com;
- (b) Defendant, by Robert N. Paessler, McMAHON, MARTINE & GALLAGHER, 404 Market Street, Trenton, NJ 08611; Tel: (609) 396-

2999; Email: RPaessler@mmglawyers.com.

2. Factual Description of the Case:

Plaintiffs assert claims sounding in negligence, breach of contract, and breach of warranties, in connection with water damage to real and other property owned by St. Peter's University ("SPU") and insured by Certain Interested Underwriters at Lloyd's London ("Underwriters"). Plaintiffs allege that the HVAC system at the subject property failed causing the building's water pipes to freeze and burst, and that Defendant assumed responsibility for the HVAC system under the terms of the parties' property management agreement.

Defendant denies any wrongdoing and disputes liability.

3. Settlement Discussions:

Counsel briefly discussed the idea of settlement by phone on May, 7, 2025, but agree that some discovery is required before such conversations will be meaningful. Plaintiffs last demand was \$6,250,000.00. No counter offer has been proposed for the reasons stated.

4. Initial Disclosures Pursuant to Rule 26(a)(1):

As of the date of this filing, the parties have not exchanged their Rule 26(a)(1) disclosures, but have stipulated that they be served by May 9, 2025.

5. Discovery To Date:

The parties have not conducted any discovery to date.

6. Anticipated Motions:

The parties do not presently anticipate any motions.

7. Proposed Joint Discovery Plan:

(a) Discovery is needed on the following subjects:

The circumstances of the events giving rise to the HVAC system failure; and Plaintiffs' alleged damages.

- (b) Phased discovery is not required.
 - (c) Maximum of **10** Interrogatories by each party to each other party.
 - (d) Maximum of **5** depositions to be taken by each party.
 - (e) Plaintiffs to serve their expert report, if any, by **February 28, 2026**.
 - (f) Defendant to serve its expert report, if any, by **March 31, 2026**.
 - (g) Motions to amend or to add parties to be filed by **November 30, 2025**.
 - (h) Dispositive motions to be served within **30 days** after completion of all discovery.
 - (i) Factual discovery to be completed by **January 31, 2026**.
 - (j) Expert discovery to be completed by **April 30, 2026**.
 - (k) The parties do not presently anticipate the need for any special discovery mechanism or procedure.
 - (l) A pretrial conference may take place on _____.
 - (m) Plaintiffs demand a trial by jury.
 - (n) Trial date: _____.
8. The parties do not anticipate any discovery problems.
9. Plaintiff anticipates the need for remote depositions of any out-of-state witnesses.
10. The parties are amenable to mediation at the close of fact discovery.
11. Bifurcation is not appropriate here.
12. We do not consent to the trial being conducted by a Magistrate Judge.

Jointly submitted this 7th day of May, 2025.

Attorneys for Plaintiffs:

BIEDERMANN HOENIG SEMPREVIVO, P.C.

By: s/ *Sara E. Thompson*
Sara E. Thompson

Attorneys for Defendant:

McMAHON, MARTINE & GALLAGHER

By: s/ *Robert N. Paessler*
Robert N. Paessler

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on May 7, 2025, the foregoing Joint Proposed Discovery Plan was filed electronically on the Court's electronic filing system (CM/ECF) and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by email to all parties or their respective representatives by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing. Parties may access this filing through the Court's electronic filing system.

Dated this 7th day of May, 2025.

s/ *Sara E. Thompson*
Sara E. Thompson